

THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

LUANN PARKER,)	
)	Case No. C-1-00-766
Plaintiff,)	
)	Judge Michael H. Watson
v.)	
)	JOINT STATUS REPORT
AVENTIS PASTEUR Inc.,)	
)	
Defendants.)	
)	

Plaintiff Luann Parker and Defendant Aventis Pasteur Inc. respectfully submit this Joint Status Report pursuant to the Order issued by Judge Watson on October 14, 2004.

I. NATURE OF CASE AND CLAIMS

This is a toxic tort products liability action. Plaintiff, Luann Parker, alleges to have suffered personal injury after she was vaccinated with the FLUZONE influenza vaccine manufactured by defendant Aventis Pasteur Inc. Parker has brought products liability causes of action against Aventis sounding in negligence, strict liability and failure to warn.

II. SETTLEMENT EFFORTS

The parties did not engage in any pre-suit efforts to resolve this matter. The parties have engaged in limited settlement discussions since the case was filed.

III. CASE SCHEDULE

The discovery cut-off expired in this matter on April 30, 2004. On June 1, 2004, Aventis filed a Motion for Summary Judgment. Plaintiff responded by filing a Memorandum in Opposition on September 29, 2004. Defendant's Reply Brief in Support of Summary Judgment is due on November 1, 2004. Plaintiff identified a previously undisclosed expert witness when

she filed her Memorandum in Opposition to Aventis' Motion for Summary Judgment. Aventis will need to take the deposition of the newly identified witness before trial. The parties have agreed to engage in additional discovery that may be needed to prepare for trial after the Court issues a ruling on Aventis' Motion for Summary Judgment.

IV. OTHER ISSUES

This is a complex case; the parties jointly and respectfully request that the Court schedule a status conference in this matter.

Respectfully submitted,

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Date: October 21, 2004.